

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**SUZANNE CARUSO,**

**Plaintiff,**

**v.**

**JOSEPH OCCHIOGROSSO,  
PATRICK WELSH, and SHOP TO  
EARTH,**

**Defendants.**

**Civil Action No. 11-1951 (DMC)**

**ORDER**

**THIS MATTER** having come before the Court upon (1) Plaintiff's motion for default judgment [CM/ECF No. 22]; and (2) Defendant Occhiogrosso's cross-motion to vacate default and stay the case [CM/ECF No. 32]; and upon consideration of the papers submitted; and for the reasons stated in the Opinion issued on this date; and for good cause shown;

**IT IS on this 9<sup>th</sup> day of July 2013,**

**ORDERED** that, Plaintiff's motion for default judgment [CM/ECF No. 22] is **DENIED**; and it is further

**ORDERED** that, Defendant's motion to vacate default and to stay the case [CM/ECF No. 32] is **GRANTED IN PART AND DENIED IN PART**. The default entered against Defendant Occhiogrosso is hereby **vacated**. The motion to stay the case is **denied**.

s/Mark Falk  
**MARK FALK**  
**United States Magistrate Judge**